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By: **Delegates King, Boschert, Bozman, Dumais, Elmore, Gilleland,  
Goodwin, Gordon, Gutierrez, Heller, Howard, Hurson, Kaiser, Myers,  
Owings, Patterson, Ramirez, Ross, Simmons, and F. Turner**

Introduced and read first time: February 5, 2004

Assigned to: Ways and Means

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A BILL ENTITLED

1 AN ACT concerning

2 **Education - Students with Disabilities - High School Diploma by**  
3 **Examination**

4 FOR the purpose of prohibiting the State Board of Education from requiring certain  
5 students with disabilities seeking to obtain a high school diploma by  
6 examination to withdraw from a certain full-time school program before taking  
7 the examination; authorizing a certain student with disabilities to change the  
8 student's individualized education program to indicate that preparation for and  
9 the taking of a certain examination is part of the student's transition plan; and  
10 generally relating to students with disabilities obtaining a high school diploma  
11 by examination.

12 BY repealing and reenacting, with amendments,  
13 Article - Education  
14 Section 7-206  
15 Annotated Code of Maryland  
16 (2001 Replacement Volume and 2003 Supplement)

17 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF  
18 MARYLAND, That the Laws of Maryland read as follows:

19 **Article - Education**

20 7-206.

21 (a) (1) An individual may obtain a high school diploma by examination as  
22 provided in this section if the individual:

23 [(1)] (I) Has not obtained a high school certificate or diploma;

24 [(2)] (II) Has resided in this State or on a federal reservation in this  
25 State for at least 3 months, except that the State Board may waive this residence  
26 requirement if it considers the waiver justified;

1            [(3)]    (III)    Is 16 years old or older; and

2            [(4)]    (IV)    [Has] EXCEPT AS PROVIDED IN PARAGRAPH (2) OF THIS  
3 SUBSECTION, HAS withdrawn from a regular full-time public or private school  
4 program for at least 3 months, except that the State Board may waive the 3-month  
5 withdrawal requirement if the State Board considers the waiver justified.

6            (2)       A STUDENT WITH A DISABILITY WHO RECEIVES SPECIAL EDUCATION  
7 AND RELATED SERVICES SEEKING TO OBTAIN A HIGH SCHOOL DIPLOMA BY  
8 EXAMINATION MAY:

9                    (I)       NOT BE REQUIRED TO WITHDRAW FROM A REGULAR  
10 FULL-TIME PUBLIC OR PRIVATE SCHOOL PROGRAM BEFORE TAKING THE  
11 EXAMINATION; AND

12                    (II)       CHANGE THE STUDENT'S INDIVIDUALIZED EDUCATION  
13 PROGRAM TO INDICATE THAT PREPARATION FOR AND THE TAKING OF AN  
14 EXAMINATION TO OBTAIN A HIGH SCHOOL DIPLOMA IS PART OF THE STUDENT'S  
15 TRANSITION PLAN.

16    (b)       The State Board shall examine individuals for a high school diploma at  
17 least twice each year at places throughout this State that are reasonably convenient  
18 for the applicants.

19    (c)       The examination shall:

20                    (1)       Be offered in appropriate high school subject areas; and

21                    (2)       Be of a comprehensive nature as determined by the State Board.

22    (d)       An individual who fails an examination may take retests.

23    (e)       A member of the armed forces may earn the Maryland high school diploma  
24 by taking the examinations furnished by the United States Armed Forces Institute  
25 and given by the appropriate service officer.

26    (f)       The diploma shall be awarded in accordance with the rules and regulations  
27 adopted by the State Board.

28    SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect  
29 July 1, 2004.